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May 2, 2016

Sent Electronically

James E. Davis Ambulatory Surgical Center
c/o Jessica Winebrenner
McGuire Woods, LLP
434 Fayetteville Street, Suite 2600
Raleigh, NC 27601

Re: NECC MDL – Case No. 1:13-md-2419 (D. Mass.)

Dear James E. Davis Ambulatory Surgical Center:

In follow-up from our previous letters dated October, 2015 and February, 2016 regarding the above litigation, please find attached the following materials for the Deposition by Written Question of your facility's designated 30(b)(6) witness:

1. Third Amended Notice of Deposition **(Time Changed ONLY);**

Your facility representative may bring these items with him/her to the deposition. Your deposition has been scheduled for **May 4, 2016 at 1:00PM**, to take place at **Duke University's Office of Counsel, 310 Blackwell Street, 4th Floor, Durham, NC 27710**. We will arrange to have a court reporter with experience conducting a deposition by written question present.

We anticipate that the format of the deposition will be as follows: At the date and time above, a court reporter will meet your facility's designated 30(b)(6) witness at the location above to conduct the deposition. At all times your facility has the right to have its attorney present for this deposition.

After the witness is sworn in by the court reporter, the court reporter will read aloud the questions submitted by the Box Hill Surgery Center Defendants for direct examination, to which the witness will answer orally. Then the court reporter will read aloud the questions submitted by the Plaintiff Steering Committee for cross-examination, to which the witness will answer orally. The facility representative will be required to answer only the written questions as appear. Once all questions have been read and responded to, the deposition will conclude.

PESSIN KATZ LAW, P.A.

James E. Davis Ambulatory Surgical Center
May 2, 2016
Page 2

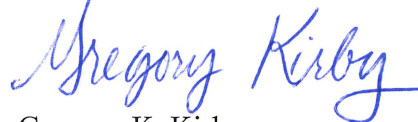
the witness will answer orally. Then the court reporter will read aloud the questions submitted by the Plaintiff Steering Committee for cross-examination, to which the witness will answer orally. The facility representative will be required to answer only the written questions as appear. Once all questions have been read and responded to, the deposition will conclude.

Please contact attorney Gregory Kirby at Pessin Katz Law, P.A., with any questions or concerns. My contact information is as follows:

Gregory Kirby, Esquire
Pessin Katz Law, P.A.
901 Dulaney Valley Road, Suite 500
Towson, Maryland 21204
(410)938-8800
gkirby@pklaw.com

Thank you for your assistance with this matter.

Sincerely,



Gregory K. Kirby

cc: Jessica Meeder, Esquire w/enclosures
Discovery Litigation w/enclosures
All other counsel notified via ECF

EXHIBIT 1

**THRID AMENDED NOTICE OF DEPOSITION BY
WRITTEN
QUESTIONS TO
JAMES E. DAVIS AMBULATORY SURGERY CENTER**

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS
LIABILITY LITIGATION

THIS DOCUMENT RELATES TO:

All Cases

MDL No. 2419
Dkt. No 1:13-md-2419 (RWZ)

THIRD AMENDED NOTICE OF 30(B)(6) DEPOSITION BY WRITTEN QUESTIONS

Defendants Box Hill Surgery Center, LLC, Ritu T. Bhambani, MD, and Ritu T. Bhambani, MD, LLC (Hereinafter “Box Hill”), pursuant to Fed. R. Civ. P. 31 and 30(b)(6), come now and give notice that the deposition of James E. Davis Ambulatory Surgical Center, as an organization, will be taken by written questions.

Pursuant to Fed. R. Civ. P. 30(b)(6) and 31(a)(4), James E. Davis Ambulatory Surgical Center shall designate a witness to testify regarding the written questions included with this notice, and any cross questions, redirect questions, or recross questions submitted in accordance with Fed. R. Civ. P. 31(a)(5).

The deponent will testify before a court reporter from Discovery Litigation Services at **Duke University's Office of Counsel, 310 Blackwell Street, 4th Floor, Durham, NC 27710** on **May 4, 2016 at 1:00 PM**. The deposition will be recorded by video and stenographical means.

Respectfully submitted,

/s/ Gregory K. Kirby

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*Attorneys for Box Hill Surgery Center, LLC, Ritu
T. Bhambani, MD, and Ritu T. Bhambani, MD,
LLC*

CERTIFICATE OF SERVICE

I, Gregory K. Kirby, hereby certify that:

1. A copy of the forgoing document, filed through the CM/ECF system will be accessible to those attorneys who are registered with the Court's electronic filing system, including the attorneys representing the Plaintiffs in suits against Box Hill
2. Notice of Electronic Filing (NEF) will be sent to those parties by operation of CM/ECF system
3. A copy of the document will be served electronically to Jessica Winebrenner on behalf of James E. Davis Ambulatory Surgical Center.

on May 2, 2016.

/s/ Gregory K. Kirby

Gregory K. Kirby